

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE: E. I. DU PONT DE  
NEMOURS AND COMPANY C-8  
PERSONAL INJURY LITIGATION,

Civil Action 2:13-md-2433  
JUDGE EDMUND A. SARGUS, JR.  
Magistrate Judge Elizabeth P. Deavers

This document relates to: ALL CASES.

PRETRIAL ORDER NO. 60

**April 25, 2023, Conference Order**

This matter came before the Court for a telephone status conference on April 25, 2023.

This Order memorializes the results of the conference as follows:

Initially, counsel for Plaintiffs informed the Court that they believe there will be a total of 18 or 19 cases filed. All cases will be filed by individuals with either kidney cancer or testicular cancer, two of the Linked Diseases. Most of the cases will be filed by Ohio Plaintiffs. Also, counsel indicated that the Plaintiffs Steering Committee is available to assist as well as provide access to all prior discovery and work product for these new cases.

Next, the parties discussed the Rule 26(f) reports that were submitted in *Ian and Heather Lynn v. E. I. du Pont de Nemours and Company, et al.*, Case No. 1:22-cv-751 (ECF No. 8), and *Martha Marks v. E. I. du Pont de Nemours and Company, et al.*, Case No. 1:23-096 (ECF No. 10), the first two trial cases. The Court **ADOPTS** the 26(f) Reports filed in *Lynn* and the *Marks*

The parties and the Court discussed and agreed that the most efficient way to proceed is

to put the next two trial cases on the same pretrial schedule as the first two cases. The next two cases in line are *Joseph and Donna Hall v. E. I. du Pont de Nemours and Company, et al.*, Case No. 2:23-cv-869, and *Cathy Clark v. E. I. du Pont de Nemours and Company, et al.*, Case No. 2:23-cv-882. The parties are **DIRECTED** to submit the 26(f) reports for these cases adopting the same dates as are set forth in the *Lynn* and *Marks* 26(f) Reports. These documents should be filed in the individual cases, not the main MDL Docket.

As the Court has done in the previous trials held in this MDL, an individual trial schedule will issue for each case once the order of the trials is decided. The parties are **DIRECTED** to add to the agenda for the next Case Management Conference discussion of the order these cases will be tried.

The parties next addressed the case of *Blaine and Katherine Honea v. E. I. du Pont de Nemours and Company, et al.*, Case No. 2:23-cv-413. Mr. Honea is in poor health and, although not one of the first four cases being worked-up for trial, the parties have agreed to engage in discovery. The parties indicated that they are working together effectively and need no judicial oversight at this point.

Finally, the Court set the next status conference for June 5, 2023, at 2:00 p.m. via GoToMeeting. The Clerk is **DIRECTED** to issue a Notice with the GoToMeeting instructions. The parties must confer prior to the conferences and file with the Court, no later than two business days prior to the conference, an agenda of issues to be addressed. If any of those issues relate to proposed orders or other documents the parties plan to discuss with the Court during the

conference, those proposed orders or other documents should be submitted with the agenda.

**IT IS SO ORDERED.**

**7/12/2023**  
**DATE**

s/ Edmund A. Sargus, Jr.  
**EDMUND A. SARGUS, JR.**  
**UNITED STATES DISTRICT JUDGE**

s/ Elizabeth A. Preston Deavers  
**ELIZABETH A. PRESTON DEAVERS**  
**UNITED STATES MAGISTRATE JUDGE**